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ONE HUNDRED TENTH CONGRESS

**U.S. House of Representatives**  
**Committee on Energy and Commerce**  
**Washington, DC 20515-6115**

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CHAIRMAN

April 23, 2007

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The Honorable Stephen L. Johnson  
Administrator  
Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

Dear Administrator Johnson:

The Subcommittee on Environment and Hazardous Materials is conducting an investigation into the early out/buyout initiative being conducted by Mr. Bill Roderick, the Acting Inspector General of the Environmental Protection Agency (EPA). We are concerned that this buyout initiative is causing the unnecessary loss of experienced personnel and was commenced and carried out in a manner that undermines the effectiveness of the Office of Inspector General (OIG). To date, it appears that the positions most heavily affected will be auditors, criminal investigators, and senior management and program analysts.

According to your staff, Mr. Roderick, the Acting Inspector General, initially requested this buyout initiative to meet his goal of reducing the EPA OIG by more than 60 full-time employee (FTE) positions.

Mr. Roderick's initial plan for the employee buyout was submitted to your Office of Administration and Resource Management on June 21, 2006. The buyout initiative appears to have been based on little, if any, fact finding or analysis to ensure that these changes would not hinder the OIG's ability to perform his Congressionally-mandated responsibilities. Subsequently, modifications were made by your staff in consultation with the Acting Inspector General and the Office of Personnel Management (OPM). You apparently signed the buyout proposal from Mr. Roderick on January 4, 2007. We understand that you then submitted it to OPM and it was approved on or about March 2, 2007. To our knowledge, throughout this entire time there has been no consultation with Congress with respect to significantly downsizing the OIG by either Mr. Roderick or EPA officials.

We are further concerned that Mr. Roderick's adventuresome and sweeping buyout approach, coupled with his statements to his employees that it is "very likely we will have to close facilities and/or conduct a reduction-in-force to meet our '08 budget target," is having an adverse effect on employee morale, causing disruption in the OIG workforce. Approximately

two-thirds of all of EPA's OIG employees were sent the "Employee Retirement/Resignation Agreements." Mr. Roderick has also informed the Committee staff that he will not delay the buyout initiative or provide the Committee with 60 day advance notice of plans to initiate and/or close any OIG field offices as was requested in our letter dated March 22, 2007.

Therefore, pursuant to Rules X and XI of the Rules of the House of Representatives and in furtherance of the Subcommittee's investigation, we request that the following documents and responses to the following questions be submitted to the Subcommittee no later than April 30, 2007. In addition, we request that the documents and responses be provided as soon as they become available so the Members have this information as they consider action on the upcoming Interior/EPA appropriations bill for FY2008.

1. Is it correct that in the same approximate time frame (December 2006) that you were considering Mr. Roderick's employee buyout package, Mr. Roderick was given a bonus that exceeded \$15,000? In responding, please provide answers to the following:
  - a. Please provide the exact amount of Mr. Roderick's bonus or bonuses.
  - b. Is it correct that Deputy Administrator Marcus Peacock was the Agency official who approved Mr. Roderick's bonus payment? If not, please identify that official.
  - c. Please provide any written justification for the granting of a bonus payment/cash award to Mr. Roderick.
  - d. Has Mr. Roderick been provided any other bonuses or cash payments other than his salary during his tenure at the EPA Office of Inspector General?
  - e. In the past 10 years since April 15, 1997, have any other EPA Inspectors General or Acting Inspectors General been given a bonus payment and/or cash award? If so, please identify them and the amount of any such bonus payment.
2. As of April 11, 2007, the closing date for the buyout offer, your staff has indicated that 12 OIG employees accepted the employee retirement/resignation agreement. Please identify the GS grades by job position that have accepted the buyout, and identify for each GS job position the dollar amount of the incentive payment that each individual will receive from the Government.
3. Please provide copies of all records from February 1, 2006, through April 16, 2007, that relate in any manner to the employee early out/buyout initiative of Mr. Roderick and the Office of Inspector General.
4. Please provide copies of all records from February 1, 2006, through April 16, 2007, between the EPA and OPM and/or the Office of Management and Budget that relate in any manner to the employee early out/buyout initiated by Mr. Roderick and the Office of Inspector General.

The Honorable Stephen L. Johnson  
Page 3

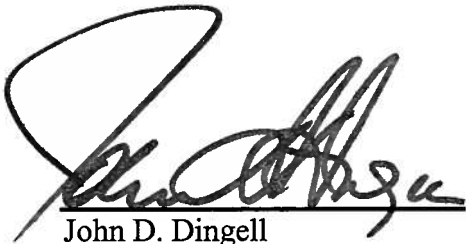
For purposes of this request, the term "records" is to be construed in the broadest sense and shall mean any written or graphic material including: correspondence; memoranda; letters; studies; evaluations; notes; plans; drafts of evaluation materials and reports; comments on drafts of evaluation materials and reports; summaries of personal conversations and interviews; minutes or notes from meetings; drafts of documents; e-mail; calendar entries; communications; appointment books; and telephone notes and messages.

The Subcommittee is not seeking the names of individual OIG employees who received the early out/buyout offers or those who may have accepted them. For purposes of this request, the names of specific individuals who received or accepted buyout offers may be redacted.

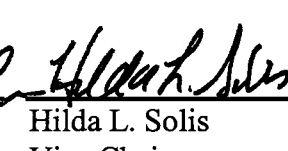
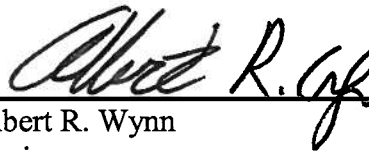
In conducting this investigation the Committee staff may find it necessary to interview individual employees and we trust we will have your full cooperation in this matter.

Should you have any questions regarding this letter, please contact us or have your staff contact Richard A. Frandsen or Lorie Schmidt with the Committee on Energy and Commerce staff at (202) 225-2927.

Sincerely,



John D. Dingell  
Chairman



Albert R. Wynn  
Chairman  
Subcommittee on  
Environment  
and Hazardous Materials

Hilda L. Solis  
Vice Chair  
Subcommittee on  
Environment  
and Hazardous Materials

cc: The Honorable Joe Barton, Ranking Member  
Committee on Energy and Commerce

The Honorable John Shimkus, Ranking Member  
Subcommittee on Environment and Hazardous Materials